IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

WP(C).No. 16834 of 2007(D)

PETITIONER:

NAVAB NIYAMA SAHAYA SAMITHY,
REPRESENTED BY CHAIRMAN GIREESH DAS,
REG.NO.T, 2634/04 T.C.14/1558(1),
MANASI, VAZHUTHACAUD.

BY ADV. SRI.M.R.SARIN
SRI.M.R.SASITH PANICKER

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
GOVERNMENT PLEADER, HIGH COURT OF KERALA,
ERNAKULAM.

2. DIRECTOR GENERAL OF POLICE, TRIVANDRUM.

3. SUPERINTENDENT OF POLICE (RURAL),
KURAVANCONOM, THIRUVANANTHAPURAM.

4. D.Y.S.P OF POLICE,
KURAVANCONOM, TRIVANDRUM.

5. THE CIRCLE OF INSPECTOR,
ARYANAD, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

R. BASANT, J.

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W.P.C.No. 16834 of 2007 D

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Dated this the 13th day of June, 2007

JUDGMENT

The petitioner claims to be a registered organisation to render legal aid to the deserving and underprivileged. One Sathyan of Aryanad was allegedly arrested in connection with an Abkari offence. He was taken into custody. He died while in custody. There were allegations that the unnatural death in custody occurred on account of the acts of torture against the deceased by two police constables. Crime under the Abkari Act for the alleged offence committed by the said Sathyan and a crime regarding the unnatural death of Sathyan have been registered. The grievance of the petitioner is that proper investigation is not being conducted into the latter..

2. Notice was given. The learned Govt. Pleader has got a statement filed by the Investigating Officer - a Dy.S.P., working in the Narcotic Cell, Trivandrum. The said statement reveals that action is being taken for the investigation of these two crimes in accordance with law. The Investigating Officer submits that further

time of six months is required to complete the investigation into these two crimes.

3. In the light of the statement filed by the Investigating Officer, I do not think that any further specific directions are necessary at this stage. I have no reason to assume that the present Investigating Officer will not conduct a proper and efficient investigation. No specific directions appear to be necessary now. I need only express the opinion that I expect the Investigating Officer to complete the investigation as expeditiously as possible, at any rate, within a period of four months from this date. Final report must be filed by that date.

4. This Writ Petition is dismissed. The right of the petitioner to approach this court again if there is no proper, serious and purposeful investigation shall remain unfettered by the dismissal of this writ petition.

(R. BASANT)
Judge

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